

EXHIBIT 3

Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103-2921
Tel: 215.963.5000
Fax: 215.963.5001
www.morganlewis.com

Morgan Lewis
C O U N S E L O R S A T L A W

Kenneth L. Racowski
215.963.5593
kracowski@morganlewis.com

January 23, 2007

VIA E-MAIL

Tidge Holmberg, Esquire
Cohen, Pontani, Lieberman and Pavane
551 Fifth Avenue
New York, NY 10176

RE: **Miller, et al. v. Treado, et al.,**
No.: 05-10367 RWZ (D. Mass.)

Dear Mr. Holmberg:

Pursuant to paragraph D of the Stipulated Protective Order entered by the court on April 27, 2006, we hereby provide written notice that Defendants intend to disclose Protected Material, as designated by Plaintiffs, to the following experts:

Edward S. Yeung
Department of Chemistry
1605 Gilman Hall
Iowa State University
Ames, Iowa 50011

Kristina M. Johnson
Duke University
Edmund T. Pratt, Jr. School of Engineering
305 Teer Building
Box 90271
Durham, North Carolina 27708-0271

Philadelphia Washington New York Los Angeles San Francisco Miami Pittsburgh Princeton
Chicago Palo Alto Dallas Harrisburg Irvine Boston London Paris Brussels Frankfurt Tokyo

Tidge Holmberg, Esquire
January 23, 2007
Page 2

Morgan Lewis
COUNSELORS AT LAW

Curriculum vitae for Mr. Yeung and Ms. Johnson are attached. Signed copies of Exhibit A will follow. Objections, if any, should be stated in writing by February 2, 2007.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth L. Racowski". The signature is fluid and cursive, with the first name "Kenneth" and last name "Racowski" clearly distinguishable.

Kenneth L. Racowski